



# Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## **Memorandum**

**Date:** March 21, 2022

**To:** Richard Conescu, Chair, & Members, Zoning Board of Adjustment

**From:** Robert Price, Planning & Zoning Administrator

**Subject:** **Barlo Signs (petitioner) and VFW (owner)** – Variance under section 17.10.3.b of the Zoning Ordinance to permit a ground sign approximately 12 feet from the front property line whereas 20 feet is required. The parcel is located at 282 DW Highway in the I-1 (Industrial), Aquifer Conservation and Planned Residential Overlay Districts. Tax Map 3D-2, Lot 12. Case # ZBA 2022-07.

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The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

### **Background & Project Description**

Map 3D-2, Lot 12 is located at 282 Daniel Webster Highway in the I-1 (Industrial), Aquifer Conservation and Planned Residential Overlay Districts. The subject property is 0.7 acres, and serviced by public water (Merrimack Village District) and municipal sewer. The lot is home to the Merrimack Veterans of Foreign Wars (VFW) Post 8641. It is abutted by a mix of commercial, industrial & residential uses.

The petitioner seeks Variance under section 17.10.3.b of the Zoning Ordinance to permit a ground sign approximately 12 feet from the front property line whereas 20 feet is required.

In November 2021, staff denied an application for a new ground sign after the NH DOT sent the property owner a violation letter requiring the removal of the long-existing ground sign from the State Right-of-Way. To rectify the violation, the applicant must erect a new sign that is both out of the State Right-of-Way and within the 20 foot setback. Unable to meet the minimum setback, the applicant seeks relief from the Zoning Board of Adjustment to place the sign approximately 12 feet from the front property line.

### **Standard of Review**

It is the burden of the petitioner to demonstrate that the five criteria for the granting of Variance under section 17.10.3.b of the Zoning Ordinance to permit a ground sign approximately 12 feet from the front property line whereas 20 feet is required, are met.

Ec: Jenn Robichaud, Barlo Signs (Petitioner)  
Building Department Staff  
John Manuele, Fire Department

Cc: Zoning Board File